

Docket No.: KCC-15,568

## THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Michael John NIEMEYER, et al.

Serial No.: 09/698,301

Filing Date: 27 October 2000

Title: SWIMWEAR WITH BUILT-IN DRAINING  
MECHANISM

Customer No. 35844

Group No. 3765

Examiner: A. Grayson

## TERMINAL DISCLAIMER

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

The undersigned represents that the Petitioner, Kimberly-Clark Worldwide, Inc., a corporation organized and existing under the laws of the state of Delaware, having its principal place of business at 401 North Lake Street, Neenah, Wisconsin 54956 represents that it is the owner of the entire right, title and interest in and to application Serial No. 09/698,301, filed 27 October 2000, entitled SWIMWEAR WITH BUILT-IN DRAINING MECHANISM, by assignment from the inventors, recorded at Reel 011518, Frame 0201, in the United States Patent & Trademark Office on 08 February 2001.

The Petitioner, Kimberly-Clark Worldwide, Inc., hereby disclaims the terminal part of any patent granted on the above-identified application, which would

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Michael I. Rouch  
Type or print name of person signing certification

7/21/03  
Date

Michael I. Rouch  
Signature

09/26/2003 DLILES 1100000007 193550 09690301  
09/26/2003 DLILES 00000007 193550 09690301  
Sale Ref: 00000007 DAA: 193550 09690301  
01 EC:1014 110.00 DA

KCC-2047

MR/S

Serial No. 09/698,301

Docket No.: KCC-15,568

extend beyond the expiration date of the full statutory term of any patent issuing from co-pending application 09/698,346, filed 27 October 2000, entitled SWIMWEAR WITH WATER DRAIN, provided that the co-pending application issues as a patent, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent issuing from co-pending application 09/698,346, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, the Petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent issuing from co-pending application 09/698,346, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The Petitioner, Kimberly-Clark Worldwide, Inc., hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of any patent issuing from co-pending application 09/749,253, filed 27 December 2000, entitled SWIMWEAR WITH FLUID DRAINING MECHANISM, provided that the co-pending application issues as a patent, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent issuing from co-pending application 09/749,253, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, the Petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would

Serial No. 09/698,301

Docket No.: KCC-15,568

extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent issuing from co-pending application 09/749,253, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I, the undersigned, have reviewed all the documents in the chain of title of the above-identified application and to the best of my knowledge and belief, title is in the petitioner, Kimberly-Clark Worldwide, Inc.

The Commissioner is hereby authorized to charge the fee for the Terminal Disclaimer to Deposit Account No. 19-3550.

Respectfully submitted,



Melanie I. Rauch  
Registration No. 40,924

Pauley Petersen Kinne & Erickson  
2800 West Higgins Road, Suite 365  
Hoffman Estates, Illinois 60195  
(847) 490-1400  
FAX (847) 490-1403

KCC-2047

3

MR/S